



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
March 21, 2023

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 6:30 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Keith Mays, Councilors Kim Young, Doug Scott, Taylor Giles, Renee Brouse, and Dan Standke.
3. **STAFF PRESENT:** City Manager Keith Campbell, Community Services Director Kristen Switzer, HR Manager Lydia McEvoy, Police Chief Ty Hanlon, City Attorney Ryan Adams, Community Development Director Eric Rutledge, IT Director Brad Crawford, Public Works Director Craig Sheldon, Records Technician Katie Corgan, and City Recorder Sylvia Murphy.
4. **TOPICS:**

A. Discussion of HB 3115, Time, Place & Manner

Mayor Rosener reported that every city in Washington County was currently determining how to implement HB 3115 and explained that Sherwood already had a no camping ordinance and provided an overview of the impacts of the Ninth Circuit Court's decision. He noted that camping was treated as a violation in Sherwood and explained that HB 3115 codified the Ninth Circuit Court's decision and cities needed to have a new policy in place by July 1, 2023. City Attorney Ryan Adams clarified that this was a state mandated update that required cities to repeal parts of their camping code if it violated the new state law. He stated that the new code needed to be in place by July 1st. He presented the "HB 3115: State Mandated Updates to Sherwood's Camping Code" PowerPoint presentation (see record, Exhibit A) and explained that the Eighth Amendment prohibited cruel and unusual punishment as well as excessive fines and excessive bail. He provided an overview of pertinent case law related to camping code and homelessness and stated cases included Robinson v. California from 1962, Martin v. Boise from 2019, and Blake/Johnson v. Grants Pass from 2022. He stated that HB 3115 put into state law what was already federal case law and explained that if cities did not have their camping ordinances in place by July 1st, then the city could be sued, but the plaintiff had to provide a 90-day notice. He stated that cities did not want to craft policy or ordinances under the threat of litigation. Councilor Scott asked regarding prohibiting camping in the right-of-way. Mr. Adams noted that it was likely that Council would have questions that he was unable to answer because of the newness of HB 3115. He referred to Councilor Scott's question regarding camping in the right-of-way and explained that regulating camping in the right-of-way was regulated by the city because of ADA laws, but other areas, such as a park, would be harder to regulate. Mayor Rosener voiced that the strip of land between Shari's Restaurant and Highway 99W should be considered when drafting the ordinance. City Attorney Adams outlined that the city could have

regulations as long as they were objectionably reasonable and defined the term "objectionably reasonable." He stated that in general, judges and juries determined what objectionably reasonable meant, but HB 3115 required that cities determine what it meant instead with the understanding that if the city had not been objectionably reasonable in their determination, the city could be sued. He referred to an email he had sent to Council prior to the meeting (see record, Exhibit B) which included a map of the city. He provided an overview of the maps on pages 4-6 of the presentation and explained that if the city lifted the camping ordinance, a stipulation could be put in place that prohibited camping within a quarter of a mile, a half mile, or a mile of a school. Mayor Rosener stated that he had supplied an alternative to the maps on pages 4-6 and explained that his map on page 7 of the presentation was based on Sherwood's walk zones. Discussion occurred and Council President Mays asked what neighboring cities were doing? City Attorney Adams replied that it varied greatly between cities and reported that the City of Wilsonville had discussed the idea of creating an administrative rule to permit camping in their City Hall parking lot and noted that they did this via an administrative rule because administrative rules were easier to change if necessary. He explained that the law required that cities have somewhere someone experiencing homelessness could go. Councilor Scott commented that he liked that approach because it would be easier to manage. Mayor Rosener said that he had spoken with several people in Washington County and reported that most cities were considering following the LOC's model which permitted camping from 7:00 pm – 7:00 am. Councilor Young commented that if a city designated a timeframe, then they also needed the appropriate staffing levels to enforce it because if the time limits were not enforced, then it evolved into a much larger issue. Councilor Brouse commented that if the city was going to follow that idea, then the city also needed to increase their staffing levels and services the city offered, and discussion occurred. Councilor Giles commented that not every place was equipped to address the multitude of services someone experiencing homelessness may need, and he would prefer getting that person to a location that had the infrastructure in place to support them and discussion occurred. Mayor Rosener commented that he did not believe that the city would receive any money from the county to provide services and asked Chief Hanlon how often the Police Department needed to enforce Sherwood's current camping ordinance? Chief Hanlon replied that currently, it was pretty minimal and explained that most times it was someone sleeping in their car because they had a job nearby, or it was individuals camping in the woods. He explained that very few people had "taken up residency" in the woods and stated that he did not view the issue as cumbersome to the Police Department currently. He stated that he had reservations regarding designating a specific area for camping and explained that forcing everyone into a single area could pose safety risks for individuals, particularly single women, and discussion regarding enforcing the current camping ordinance occurred. Councilor Giles asked if removing the current camping policy would make the Police Department's job more or less difficult? Chief Hanlon replied that lifting the ordinance would be a step in the right direction in addition to allowing the Police Department to individually address each occurrence as they happened. Mayor Rosener referred to the City of Portland's recent crackdown on homeless encampments and commented that he worried that it would push people out of the city and into suburban areas. He put forward the idea of having a map of areas in Sherwood that camping would be permitted. Councilor Brouse suggested that the city repeal the ordinance and work with the YMCA, local churches, and faith-based communities to allow overnight parking on their lots. Councilor Giles asked if those locations could already offer that as it was private property? Mayor Rosener stated that the city could develop a process where a church or non-profit would be exempt from the ordinance. Councilor Scott asked if the current ordinance banned camping on private property? City Attorney Adams replied that currently, camping on private property required an exemption. Councilor Scott commented that he felt that that was not the intent of the ordinance when it was drafted, and discussion occurred. Council President Mays asked for more information on what neighboring cities were doing, including how cities were addressing camping out in the elements versus vehicle camping and asked if cities could differentiate between the two.

Councilor Scott commented that he wanted one set of rules. Councilor Giles referred to the potential issue of cars and RVs exploiting loopholes in the code and voiced that he wanted to prevent that from happening. Councilor Scott referred to Chief Hanlon's comments about the issue with designating a specific area and remarked that he had changed his mind, but he was still in favor of having a permitted timeframe in place for enforcement purposes. City Attorney Adams recapped Council's feedback and explained he would look into what different cities were doing regarding different vehicle types and he would research options for public property versus private property. He clarified that Council did not want to repeal Sherwood's portion of the camping code without first inserting additional policies, and asked if that was correct? Council commented that they wanted more information before they made a decision. City Attorney Adams replied that he would schedule a future work session to discuss the findings and potential options with Council. Council President Mays commented that Council wanted to be compassionate and helpful in their decision.

5. ADJOURN:

Mayor Rosener adjourned the work session at 7:00 pm and convened a regular session.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:07 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Keith Mays (left at 7:55 pm), Councilors Kim Young, Doug Scott, Taylor Giles, Renee Brouse, and Dan Standke.
- 3. STAFF PRESENT:** City Manager Keith Campbell, Community Services Director Kristen Switzer, City Attorney Ryan Adams, IT Director Brad Crawford, Community Development Director Eric Rutledge, Police Chief Ty Hanlon, HR Manager Lydia McEvoy, and City Recorder Sylvia Murphy.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCIL PRESIDENT MAYS TO APPROVE THE AGENDA. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

5. CONSENT AGENDA:

- A. Approval of February 21, 2023 City Council Meeting Minutes**
- B. Approval of March 7, 2023 City Council Meeting Minutes**
- C. Resolution 2023-018, Adopting City Council Pillars, Goals, and Deliverables for Fiscal Year 2023-2024**

MOTION: FROM COUNCILOR BROUSE TO APPROVE THE CONSENT AGENDA. SECONDED BY COUNCILOR SCOTT. MOTION PASSED 7:0; ALL MEMBERS VOTED IN FAVOR.

6. CITIZEN COMMENTS:

Sherwood resident Neil Shannon came forward to speak on Resolution 2023-019 and the sale of the Sherwood YMCA. He stated that in general he supported the YMCA and that he appreciated Council's

efforts to negotiate a contract that encouraged the YMCA to stay in Sherwood and expand the facility. He referred to previous town hall meetings and commented that the general feedback from the community was that the \$5 million from selling the facility should be dedicated to parks and recreation. He commented that he had not seen that stipulation in the resolution and wanted to ensure that the community's wishes were heard. Mr. Shannon also commented that the \$500,000 for the five-year CIP plan and the \$15,000 maintenance costs cited in the staff report should also be dedicated to parks and recreation.

Mayor Rosener addressed the next agenda item.

7. PRESENTATIONS:

A. Recognition of Retiring TVF&R Volunteer Fire Captain Paul Spath

Mayor Rosener explained that the city wished to recognize Station 33 TVF&R Volunteer Captain Paul Spath for his excellence in serving the community for 34 years. Council President Mays stated he greatly appreciated Captain Spath's work for the community and thanked him for his time serving the Sherwood community. Councilor Brouse asked Captain Spath what some of the biggest changes had been since he started in 1989? Captain Spath replied that they used to have more volunteers but the equipment they used now was much safer. Councilor Brouse asked what his favorite aspect of the job was? Captain Spath replied that his favorite aspect was working with the volunteer crew at TVF&R as well as working with the community and the support from his family. Councilor Giles thanked Captain Spath for his knowledge, effort, and training and commented that he had participated in a fire department ride along. He asked Captain Spath what he would change or improve about the department or if there was anything the city could do to better support the department? Captain Spath replied that the city could help publicize and promote the need for more volunteer fire fighters. Councilor Young thanked Captain Spath for his service and stated that she had participated in a ride along. Councilor Scott thanked Captain Spath for his service and wished him a happy retirement. Councilor Standke thanked Captain Spath for his service to the community and the city. Mayor Rosener presented Captain Spath with a certificate on behalf of the city. TVF&R Volunteer Battalion Chief Brian Almquist introduced Captain Spath's family, TVF&R Assistant Chief Fale, TVF&R Deputy Chief of Operations Kenny Frentress, TVF&R Battalion Chief Matt Leech, Station 33 Captain Chad Ledson, and TVF&R Volunteer Captain Mike Berry. Chief Frentress came forward and recognized Captain Spath for his 34-year career and explained that 34 years was a long career and was only possible because of the support of his family. He stated that all 34 years of Captain Spath's career were spent in Sherwood and thanked him for his "selfless service, not only to the community, to the fire district, to the residents that live here" and presented Captain Spath with a plaque on behalf of the TVF&R Board of Directors, Fire Chief, and the entire fire district.

Mayor Rosener addressed the next agenda item.

B. Sherwood School District Levy Presentation

Sherwood School District Superintendent Dr. Jeremy Lyons presented the "Sherwood Education Levy" PowerPoint presentation (see record, Exhibit C) and stated that the education levy would appear on the May 16th ballot. He explained that the levy was needed in order to address the immediate financial shortfalls that were discovered in July 2022 which were created by the previous administration's revenue overestimation. He explained that the overestimation error was compounded by the loss of 400 students

and created a budget that was not sustainable for the school district. He outlined that they had wanted to address the revenue error as well as preventing something similar from happening again in the future and explained that a local option levy was proposed to address the issue. He outlined that because Sherwood property values had grown dramatically related to assessed values, a local levy option was possible. He recapped that the school board was presented with the levy information, and the board had approved putting out a levy to the community with the goal of maintaining the current level of school programs, teachers, and staff as well as adjusting for the loss of 400 students. He reported that they had arrived at the amount of \$1.50 per \$1,000 in assessed value. He referred to the chart on page 3 of the presentation and noted that Sherwood had the lowest per-pupil funding in the area. He stated that the proposed levy would bring Sherwood students up to match neighboring communities and noted that if the levy passed, Sherwood's per-pupil rate would look similar to the City of Beaverton's per-pupil rate. Dr. Lyons stated that the funds raised from the levy would stay in the community and would not be redistributed by the state. Dr. Lyons provided an overview of the levy's cost per-resident and explained that it was based on a property's assessed value, not market value. He reported that the levy would result in a maximum of \$600 per tax year, or \$50 a month for five years for a home with an assessed value of \$400,000. He commented that they estimated that it would cost the average Sherwood resident between \$30-\$70 per month. He referred to the 2016 bond levy and reported that the actual taxation rate for the bond levy had been lower than predicted when the bond levy was approved, with a rate of .70 cents per \$1,000 in assessed value. He stated that it was normal for growth-districts to have multiple bonds in addition to a local option levy. Dr. Lyons outlined the impacts of not passing the levy and explained that it would result in a reduction of 49-50 teachers and staff members for the 2023-2024 school year, there would be larger class sizes at every grade level, there would be reduced district support for extracurricular activities, and a possible "talent drain" from prospective parents choosing not to send their children to Sherwood schools. He reported that a levy rate of \$1.50 per \$1,000 in assessed value would raise approximately \$6.5 million per year for five years for the school district and would allow the school district to maintain their current standards. He commented that they recognized that they needed to reduce their costs relative to losing 400 students but with the knowledge that they would eventually regain those 400 students in time.

Mayor Rosener referred to Dr. Lyon's statement of Sherwood having the lowest per-pupil funding in the area and asked how Sherwood was ranked within the state? Dr. Lyons replied that they had not analyzed it at the state level, but Sherwood did not have the student populations that qualified for the weights that drove extra funding and commented that it was likely that Sherwood fell on the lower end. Mayor Rosener gave his kudos to Sherwood teachers for their hard work and effort in helping Sherwood have one of the highest graduation rates in the state and commented that he would hate to lose any teachers due to budget cuts. Councilor Scott asked if there would be any new programs, courses, or activities that could be started with the funds from the levy? Dr. Lyons replied that those discussions had occurred when determining the levy rate and the board had decided to address the budget shortfall and maintain what they currently had. He added that the financial report contained a multi-year strategic build-up of key reserves that would help prevent something similar from happening again in the future. Councilor Scott asked if five years was enough time to build those reserves? Dr. Lyons replied that it was. Councilor Scott asked if the same amount would be needed in perpetuity to maintain the status quo or was the levy forward-looking enough that it would add additional funds? Dr. Lyons replied that the school district was "at the mercy of the legislature" and the "economic fortunes" of the state when it came to additional school funding and commented that a local levy option helped balance out the fluctuations in state funding. He addressed Councilor Scott's question and explained that that would be a decision for the school board to make in five years and commented that the board could choose not to renew the levy. Council President Mays spoke on Sherwood's history of being "pro-schools, pro-education, pro-

families” and stated he wanted a resolution drafted supporting the levy for Council to vote on. He asked what the district’s total revenue was for this year? Dr. Lyons replied that with the overestimation of revenue, it was roughly \$61 million and 82% of that went to staff salaries. He continued that they had received \$55 million, roughly a \$10 million overestimation. Council President Mays spoke on the Governor’s proposed budget and the legislature budgeting process for schools and asked if it was possible that some years would add more to the reserve than others? Dr. Lyons replied that that was possible and spoke on potential educational funding numbers in the Governor’s budget and explained that the board had factored in several possibilities for the outcome of the state’s education budget. Councilor Young thanked the district for their transparency and voiced that regardless of the overestimation, a levy would still be needed to cover rising costs and asked if that was correct? Dr. Lyons replied that he believed that was true and commented that the community had high expectations for their schools, and the Sherwood School District was a high-performing district. Councilor Young asked what course correcting measures had the district undertaken or would take since the error was discovered? Dr. Lyons recapped that the error was discovered in July-August 2022, and by mid-August they knew they would need to make cuts. In the fall of 2022, the district made \$2.2 million in cuts, over half from cutting administrators and central office services and noted that there had been no elementary classroom disruptions from those cuts. He continued that the board was aware that the \$2.2 million in cuts would not cover the shortfall, which was why the levy was necessary. Councilor Giles reported that he had served on the Sherwood School District’s Bond Oversight Committee and confirmed that the bond dollars were separate from this issue. Dr. Lyons replied that was correct. Councilor Giles clarified that the proposed levy funds would be spent on programs and staff, not overhead. Dr. Lyons replied that was correct and explained that if the levy passed, they would implement two mechanisms to track each dollar. He explained one mechanism was the overhauling of the Sherwood School District Budget Committee to receive more comprehensive expenditure reports and revenue forecasts than those in the past. He continued that the Sherwood School District Budget Committee would track every dollar of the levy to be spent on teachers, classified staff members, and necessary reserve building, not administrators. Councilor Giles spoke on the teacher shortage in the state and the risk of being unable to re-hire teachers even if they had the budget to do so. Councilor Standke asked for clarification on if the budget shortfall was due to both the student population decrease and the state funding numbers? Dr. Lyons clarified that the shortfall was the “perfect storm” of the loss of 400 students and budgets that overestimated revenue. He spoke on the COVID-19 pandemic and ESSER (Elementary and Secondary School Emergency Relief) Funds and explained that the Sherwood School District had only received \$1.7 million in ESSER Funds due to Sherwood’s student weights and commented that the Woodburn School District had received up to \$26 million in ESSER Funds. Councilor Standke asked if student numbers had started increasing again from their lowest point? Dr. Lyons replied that student numbers had not increased, and demographer reports indicated that enrollment would be flat for the next few years, but it was highly likely that numbers would eventually increase in the future. Mayor Rosener commented that the Sherwood School District should have acted when they had noticed declining student enrollment rates several years ago and thanked Dr. Lyon for his time. Mayor Rosener asked if Council wished for staff to prepare a resolution supporting the levy? Council signaled they did.

Mayor Rosener addressed the next agenda item.

Council President Mays explained that he would recuse himself from the rest of the meeting because he served on the Board of Directors for the Columbia-Willamette YMCA and left the meeting at 7:55 pm.

8. NEW BUSINESS:

A. Resolution 2023-019, Purchase and Sale Agreement between the City of Sherwood and the Young Men's Christian Association of Columbia-Willamette, an Oregon nonprofit Corporation, doing business as YMCA of Columbia-Willamette

City Manager Keith Campbell recapped that in 1996, Sherwood residents passed a 20-year General Obligation Bond to construct a public facility and in the fall of 1998, construction was completed. He stated that the city entered into a 20-year agreement with the YMCA of Columbia-Willamette to operate the facility and in 2018, the city signed a five-year extension to that agreement. He explained that as part of the agreement, the city owned the facility and the land, and the YMCA was responsible for the operations and maintenance within the facility, while the city was responsible for the maintenance of the outside of the facility and the landscaping and upkeep of the property. In 2021, the city and the YMCA began negotiations to explore selling the land and improvements to the YMCA and on February 24, 2023, the City of Sherwood and the YMCA released a joint press release followed by two town hall meetings, on March 2nd at the YMCA and March 9th at Sherwood City Hall. Mr. Campbell reported that the Purchase and Sale Agreement was for \$5,000,000 in cash, and the sale price was based on appraisals from both the YMCA and the City of Sherwood. He noted that as part of the Purchase and Sale agreement, the city would retain the skate park and the undeveloped area adjacent to Woodhaven Commons. He stated that the city would also receive easements for the Highway 99W pedestrian bridge and access to the skate park. He reported that the agreement contained a 20-year "right of first refusal" should the YMCA decide to sell the property. Mr. Campbell stated that in addition to the \$5 million from the sale of the property, \$456,140 in planned capital improvements over the next five years would be removed from the Capital Improvement Plan. He noted that the city anticipated an additional savings of approximately \$15,000 per year in maintenance and upkeep of the land. City Attorney Adams explained that there was an issue with one of the revisions in the previous purchase and sale agreement document that previous City Attorney Josh Soper and the YMCA had drafted. He outlined that there was a declaration provision that required a 60% vote by Woodhaven property owners to remove the YMCA land from the HOA area and explained that there was concern about obligating the city to a condition that the city did not necessarily legally have control over. He reported that based on discussions held this week, it appeared that there would no longer be an issue with striking those provisions. Councilor Giles asked regarding dedicating the funds from the sale to be spent on parks and recreation. Mayor Rosener replied that Council had not officially decided what to dedicate the funds towards, but he personally felt that the funds should be oriented towards parks and discussion occurred. Councilor Young commented that Council should state that the funds would be spent on parks and recreation during this process. Mayor Rosener asked for a motion to declare that the \$5 million from the sale of the YMCA property be put into a parks fund. City Attorney Adams stated that he would need to converse with the Finance Director to determine if the funds could be obligated at this meeting. Mayor Rosener asked that a resolution be drafted that stated Council intended the funds to be used for parks.

MOTION: FROM COUNCILOR BROUSE THAT THE INTENT OF THE SALE OF THE YMCA PROPERTY WAS TO MOVE THE \$5 MILLION INTO A DESIGNATED FUND TO BE USED FOR PARKS AND RECREATION. SECONDED BY COUNCILOR YOUNG. MOTION PASSED 6:0 ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCIL PRESIDENT MAYS WAS ABSENT).

Mayor Rosener asked if people could still park in the YMCA parking lot if they were only going to use the skate park? City Attorney Adams replied that people utilizing the skate park could park in the YMCA parking lot. Mayor Rosener stated that because the skate park was built using state grants, the city was barred from selling it for a certain amount of time. Mayor Rosener asked City Manager Campbell to speak on the 150-day period. Mr. Campbell explained that the 150-day timeframe was the time in which

the city could perform their due diligence and was when the parcel would be rezoned, and it was also time for the YMCA to procure their financing. He stated that at the end of the 150-day period, and once everything was deemed as sufficient, there would be a closing period which could be up to 60 days. Councilor Scott clarified that the YMCA was scheduled to vote on the proposal on Thursday? Mr. Campbell replied that was correct. Councilor Scott recapped that this topic had been discussed at the Council level for over two years. Mayor Rosener commented that one of his concerns was that the community had a recreation facility going into the future and was happy that that had been preserved in the agreement.

MOTION: FROM COUNCILOR YOUNG TO APPROVE RESOLUTION 2023-019, APPROVING THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF SHERWOOD AND THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF COLUMBIA-WILLAMETTE, AN OREGON NONPROFIT CORPORATION, DOING BUSINESS AS YMCA OF COLUMBIA-WILLAMETTE. IN A FORM SUBSTANTIALLY SIMILAR AS THE ATTACHED EXHIBIT A, ON THE CONDITION THAT THE CITY ATTORNEY SHALL HAVE THE AUTHORITY TO STRIKE PROVISIONS REQUIRING CITY ACTION WITH RESPECT TO THE WOODHAVEN HOA AND HAVE FURTHER AUTHORITY TO MAKE MINOR MODIFICATIONS TO NUMBERING AND DATES THAT DO NOT AFFECT THE MATERIAL SUBSTANCE OF THE AGREEMENT. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 6:0; ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCIL PRESIDENT MAYS WAS ABSENT).

Mayor Rosener addressed the next agenda item and the City Recorder read aloud the public hearing statement.

9. PUBLIC HEARINGS:

A. Ordinance 2023-003, Amending Title 12 of the Sherwood Municipal Code and Adopting Standards and Procedures for a Permanent Outdoor Seating Program (*First Reading*)

Community Development Director Eric Rutledge presented the "Outdoor Seating Program Ord. 2023-003 First Reading" PowerPoint presentation (see record, Exhibit D) and explained that the program was called the "Outdoor Seating Permit Program" and was intended for businesses using city right-of-way for long-term seating on sidewalks and on-street parking spaces. He reported that the program did not apply to county or ODOT right-of-way. He provided background on the program and outlined that the pilot program ran from March 2022-October 2022 and a Council work session was held in February 2023 to discuss making the program permanent with some changes. Mr. Rutledge recapped that the pilot program was limited to Old Town and the city had issued four permits, all for businesses located on Railroad Street and were for sidewalk use only. He outlined that the city had not received any complaints from the public on the program, but there was some concern from businesses regarding the high insurance requirements. He recapped that Council feedback from the February work session included making the program permanent, making the program available for city-wide use, allowing for sidewalk use to be permitted year-round, parking stall use to be permitted seasonally, and the ability to renew the permit annually with no renewal fee. He stated that the program would be located under Title 12 of the Sherwood Municipal Code and would have strict requirements for the location and design of the seating and required following ADA requirements. He spoke on the program being a city-wide program and noted that the permit would only be issued if the appropriate standards were met and commented that it was unlikely that many businesses would qualify outside of Old Town due to ADA requirements. Mr. Rutledge reported that parking stall use was permitted from March 1st-October 31st and could be renewed annually with no renewal fee. He provided an overview of the code structure on

page 6 of the presentation. He reported that the second reading on the proposed ordinance would be held at the April 4th City Council meeting and recapped Council alternatives. Councilor Young commented that she was pleased that the renewal fees were waived. Councilor Standke asked for clarification on parking stall use. Community Development Director Rutledge explained that the permit allowed for up to two parking stalls directly in front of the business to be used for seating if the business had such a space available. Councilor Scott commented that he felt that March 1st-October 31st was too long. Councilor Giles clarified that this program did not apply to private parking, only city-owned right-of-way. Mr. Rutledge replied that was correct. Mayor Rosener stated that this program was different than a special event permit.

Mayor Rosener opened the public hearing to receive public comment. Hearing none, Mayor Rosener closed the public hearing and asked for discussion from Council. With none received, Mayor Rosener addressed the next agenda item.

10. CITY MANAGER REPORT:

City Manager Campbell reported that Trashapalooza was scheduled for April 22nd. He reported that Bowling with a Cop would be held on March 27th at Langer's Entertainment Center and was a part of Langer's Entertainment Center's Make-a-Difference Monday series where 100% of the revenue from bowling and shoe rental would be donated to the Sherwood Police Foundation. He reported that Economic Development Manager Bruce Coleman received the "Business Leader of the Year" award from the Sherwood Chamber of Commerce. Mr. Campbell stated that Mr. Coleman was, "an outstanding coworker, an outstanding person" and congratulated Mr. Coleman on his award.

Councilor Standke referred to the well that was damaged from a falling tree and asked for an update on the repairs. Public Works Director Craig Sheldon replied that construction would start on March 22nd and explained the process of getting the repairs on the well started. Mayor Rosener asked Mr. Sheldon to speak on the fencing around the old reservoir. Mr. Sheldon explained that a band had broken on the old reservoir that was built in 1972 and reported that he was currently going through an emergency process with the city's structural, civil, and water engineers and was in the process of procuring a contractor that was capable of doing such repairs. He stated that his goal was to have the repair completed before the peak season in the summer. He explained that the fencing was put in place because the roof had been damaged.

Mayor Rosener addressed the next agenda item.

11. COUNCIL ANNOUNCEMENTS:

Councilor Standke reported that the Planning Commission did not meet last week, but at the prior meeting they had approved a conditional use permit to change the zoning from Light Industrial to Commercial for an area of land behind Walmart. He encouraged residents to volunteer for Trashapalooza.

Councilor Brouse reported that she would attend the Housing Advisory Committee meeting for Washington County. She reported that the Sherwood Police Foundation gala would be held on April 28th. She reported that a Rotarian event would be held in Sherwood on April 22nd.

Councilor Young spoke on Trashapalooza and Council's participation in the Adopt-a-Road program.

Councilor Giles reported that he attended the Library Advisory Board meeting where they discussed funding sources and the need to strengthen the Library Foundation. He encouraged residents interested in being a part of the Library Foundation to reach out to him for more information. He reported that there were two Planning Commission vacancies and encouraged residents to apply. He reported that he would participate in Trashapalooza.

Mayor Rosener reported on his recent trip to Washington D.C. with City Manager Campbell where they met with Senator Wyden, Senator Merkley, and Representative Salinas to lobby for funds for Sherwood projects that included two sewer projects, tannery site cleanup, and funds to expand Sherwood broadband services to rural areas. He reported that he served on the Metro Policy Advisory Committee and reported that they would be providing oversight and advice to the Metro Council regarding urban growth boundary expansion.

12. ADJOURN:

Mayor Rosener adjourned the regular session at 8:30 pm and convened an executive session.


EXECUTIVE SESSION


- 1. CALL TO ORDER:** The meeting was called the to order at 8:40 pm.
- 2. COUNCIL PRESENT:** Mayor Tim Rosener, Council President Keith Mays, Councilors Kim Young, Doug Scott, Taylor Giles, Renee Brouse, and Dan Standke.
- 3. STAFF PRESENT:** HR Manager Lydia McEvoy and City Attorney Ryan Adams.
- 4. TOPICS:**
 - A. ORS 192.660(2)(i), Performance Evaluation**

5. ADJOURN:

Mayor Rosener adjourned the executive session at 10:07 pm

Attest:


Sylvia Murphy, MMC, City Recorder


Tim Rosener, Mayor